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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKEQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Intervenor-Plaintiff,

ECF CASE

No. 07 Civ. 8256 (CM) (AJP)

-against-

TAVERN ON THE GREEN LTD. P'SHIP
(D/B/A TAVERN ON THE GREEN),STIPULATION AND ORDER OF
SUBSTITUTION OF
DEFENDANT'S COUNSEL

Defendant.

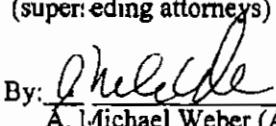
MARIA NYAKIM GATKOUTH,

Intervenor-Plaintiff.

IT IS HEREBY STIPULATED AND AGREED that the law firm of Littler Mendelson, P.C. shall be substituted as counsel of record for Defendant Tavern on the Green Ltd. in the above-captioned action, in place and instead of the law firm of Herrick, Feinstein LLP. Said substitution has been effected with the knowledge and consent of Defendant Tavern on the Green Ltd.

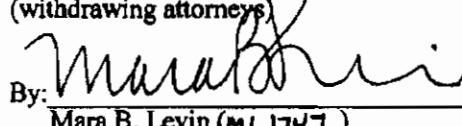
Dated: New York, New York
March 6, 2008

LITTLER MENDELSON, P.C.
(superceding attorneys)

By: 

A. Michael Weber (AMW 8760)
885 Third Avenue
New York, New York 10022
(212) 583-9600

HERRICK, FEINSTEIN LLP
(withdrawing attorneys)

By: 

Mara B. Levin (ML1747)
2 Park Avenue
New York, New York 10016
(212) 592-1400

SO ORDERED:


Hon. Colleen McMahon,
U.S.D.J.

Date: 3/10/08

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DATE FILED: <u>3/10/08</u>

EXHIBIT A

LITTLER MENDELSON, P.C.
A. Michael Weber (AMW 8760)
Attorneys for Defendant
885 Third Avenue, 16th Floor
New York, New York 10022-4834
212.583.9600

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Intervenor-Plaintiff,

-against-

TAVERN ON THE GREEN LTD. P'SHIP
(D/B/A TAVERN ON THE GREEN),

Defendant.

MARIA NYAKIM GATKOUTH,

Intervenor-Plaintiff

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

I, A. Michael Weber, Esq., an attorney admitted to practice before the courts of the State of New York, hereby affirm under penalty of perjury:

1. I am a shareholder with the law firm Littler Mendelson, P.C., which wished to represent Defendant Tavern on the Green LP ("Defendant") as its attorneys in the above-captioned action. I make this affirmation as required by Local General Rule 1.4 in support of the Stipulation and Order of Substitution of Defendant's Counsel, a true and accurate copy of which is attached as Exhibit A.

ECF CASE

No. 07 Civ. 8256 (CM) (AJP)

**AFFIRMATION IN SUPPORT OF
STIPULATION AND ORDER OF
SUBSTITUTION OF DEFENDANT'S
COUNSEL**

2. This action was commenced in December 2007, following investigation by the United States Equal Employment Opportunity Commission ("EEOC"), and until recently, Defendant was represented by the firm of Herrick, Feinstein LLP.

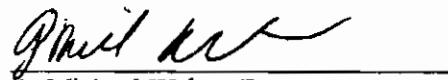
3. On information and belief, Defendant does not wish to be represented by two law firms, and prefers to be represented by Littler Mendelson P.C. going forward, due to its expertise in the field of labor and employment matters and because it has more confidence in Littler Mendelson P.C.'s ability to represent and protect its interests in its attempts to resolve this matter than counsel who has appeared.

4. Attorneys for Intervenor-Plaintiffs, the EEOC and Ms. Martha Nyakim Gatkouth have been informed of Defendant's desire to substitute counsel at this time, and do not object to such substitution; therefore, the substitution does not prejudice to Intervenor-Plaintiffs. Furthermore, I have recently engaged in settlement discussions with the EEOC's Senior Trial Attorney, Ms. Kam S. Wong, and have arranged a meeting for settlement purposes with Ms. Gatkouth's attorney.

5. This action is presently in the early stages of discovery; as such, substitution of counsel as requested will not create any delay in the litigation of this action.

I declare under penalty of perjury under the laws of the New York State, that the foregoing is true and correct.

Dated New York, New York
March 7, 2008


A. Michael Weber, Esq.